

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained hereon in neither replace nor supplement the filing and service readings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

Venkatesw Parvinkumar ROJULPOTE

## DEFENDANTS

Jeh JOHNSON, Eric HOLDER, Leon RODRIGUEZ, Joseph A. CARDINALE, &amp; The United States of America

14 7285

(b) County of Residence of First Listed Plaintiff Montgomery

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE:

IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)

W. John Vandenberg  
Hogan and Vandenberg  
1520 Locust Street, Suite 804  
Philadelphia, PA 19102  
Phone: 610-644-6272

Attorneys (If Known)

U.S. Attorney's Office  
615 Chestnut Street, Suite 1250  
Philadelphia, PA 19106

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities Employment <input type="checkbox"/> 446 Amer. w/Disabilities Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input checked="" type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions		

## V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity):

Administrative Procedural Act, 5 U.S.C. § 555, Mandamus Act, 28 U.S.C. § 1361, 8 U.S.C. § 1447(b)

Brief description of cause:

Petition for a hearing on Plaintiff's N-400 application or in the alternative an issuance of mandamus to compel USCIS to adjudicate Plaintiff's N-400 application.

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

## DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DEC 24 2014

DATE

12/24/2014

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

S.T.

## UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 649 South Henderson Road, King of Prussia, Pennsylvania 19406

Address of Defendant: 1. United States Department of Homeland Security, U.S.C.I.S. Washington, DC 20528; 2. Office of the Attorney General 615 Chestnut Street Suite 1250 Philadelphia, PA 19106; 3. United States Department of Homeland Security, U.S. Citizenship & Immigration Service, Washington, D.C. 20529; 4. USCIS District Office 30 North 41st Street Philadelphia, PA 19104

Place of Accident, Incident or Transaction:

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?  
(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes ☐

No ☒

Does this case involve multidistrict litigation possibilities?

Yes ☐

No ☒

RELATED CASE, IF ANY:

Case Number: Judge Date Terminated:

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?  
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?  
Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?  
Yes ☐ No ☒
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?  
Yes ☐ No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☒ All other Federal Question Cases  
(Please specify) U.S. Citizenship & Immigration Services- Naturalization and Mandamus

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases  
(Please specify)

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, \_\_\_\_\_, counsel of record do hereby certify:

- ☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
- ☐ Relief other than monetary damages is sought.

DATE: November 5, 2014

Attorney-at-Law

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

(PA) 89676

Attorney I.D.#

DEC 24 2014

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: November 5, 2014

Attorney-at-Law

(PA) 89676

Attorney I.D.#



AB

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CASE MANAGEMENT TRACK DESIGNATION FORM**

Venkeshwar Parvinkumar ROJULPOTE

v.

Jeh JOHNSON et al.

CIVIL ACTION

**14 7285**

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ( )
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ( )
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ( )
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (✓)

December 24, 2014

Date

610-664-6271

Telephone

Attorney-at-law

215-701-4558

FAX Number

Plaintiff

Attorney for

john@hvlawgroup.com

E-Mail Address

(Civ. 660) 10/02

DEC 24 2014

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**FILED**

DEC 24 2014

MICHAEL E. KUNZ, Clerk  
By RS Dep. Clerk

Venkeswar Parvinkumar ROJULPOTE  
(A088-254-214),

*Plaintiff,*  
v.

Civil Action No.

14-7285

Jeh JOHNSON, in his official capacity  
as Secretary of the United States  
Department of Homeland Security,

Eric HOLDER Jr., in his official Capacity  
as Attorney General of the United States,

Leon RODRIGUEZ in his official capacity  
as Director of the United States  
Department of Homeland Security,  
U.S. Citizenship & Immigration Service,

Joseph A. CARDINALE, in his official  
Capacity as Director of the U.S. Department  
of Homeland Security, U.S. Citizenship &  
Immigration Service, Philadelphia  
District Office, and

THE UNITED STATES OF AMERICA,

*Defendants.*

14 7285

**PLAINTIFF'S ORIGINAL PETITION FOR  
NATURALIZATION  
PURSUANT TO 8 U.S.C. §1447(B) &  
COMPLAINT FOR INJUNCTIVE AND MANDAMUS  
RELIEF.**

**INTRODUCTION:**

1. This action is brought by the Plaintiff for a hearing on and *de novo* adjudication of his naturalization application pursuant to 8 U.S.C. §1447(b), which provides that if the U.S. Citizenship & Immigration Service ("USCIS") fails to make a determination on a

5 given  
12/24/2014  
RT

naturalization application within 120 days of the interview, the applicant “may apply to the United States District Court for the district in which the applicant resides for a hearing on the matter,” and that the Court may “determine the matter or remand the matter, with appropriate instructions, to [USCIS] to determine the matter.”

2. In the alternative, the Plaintiff prays this Honorable Court to grant a hearing pursuant to 8 U.S.C. §1447(b). Mr. Rojulpote seeks injunctive relief from the unreasonable delays by USCIS pursuant to the Administrative Procedure Act, 5 U.S. C. §555, and the Mandamus Act, 28 U.S.C. §1361. Defendant officials of the USCIS have a duty to adjudicate Mr. Rojulpote’s naturalization application in a reasonably timely manner. The Petitioner therefore moves this Honorable Court to compel the Defendants to adjudicate his N-400 Application for Naturalization, filed on May 16, 2013, because agency action has been unlawfully withheld. To date, the Defendants have refused to make a decision on Mr. Rojulpote’s case, to the Plaintiff’s detriment. The USCIS has simply stated that the facts involved require further consideration and that the case is “in progress.” However, Plaintiff submitted fingerprints and attended the Naturalization Interview in a timely fashion. There is no legitimate explanation for the Defendants’ unreasonable delay in processing the Plaintiff’s Application for Naturalization.

**PARTIES:**

3. The Plaintiff, Mr. Mr. Rojulpote, is a citizen of India, and has been a U.S. Lawful Permanent Resident since August 7, 2005. He resides with his U.S. citizen wife, Neela Rojulpote, and their three U.S. citizen children, at 649 South Henderson Road, King of



Prussia, PA 19406.

4. Defendant Jeh Johnson is Acting Secretary of the U.S. Department of Homeland Security, of which the U.S. Citizenship & Immigration Service ("USCIS") is an agency. His agency is generally charged by law with the obligation of adjudicating applications for naturalization such as that filed by Plaintiff. He is generally charged with enforcement of the Immigration and Nationality Act, and is further authorized to delegate such powers and authority to subordinate employees of the USCIS. The USCIS is an agency within the Department of Homeland Security to whom the Secretary's authority has in part been delegated, and is subject to the Secretary's supervision. This action is brought against Mr. Johnson in his official capacity.
5. Defendant Eric H. Holder Jr. is Attorney General of the United States. The Attorney General and the U.S. Department of Justice have an affirmative duty to complete the necessary fingerprint and background checks in a timely manner, and generally serves as counsel representing the U.S. Citizenship & Immigration Service. This action is brought against Mr. Holder in his official capacity.
6. Defendant Leon Rodriguez is the Director of the United States Citizenship & Immigration Services. USCIS is charged with the enforcement of the Immigration and Nationality Act as a designee of the U.S. Department of Homeland Security. This action is brought against Mr. Rodriguez in his official capacity.

7. Defendant Joseph A. Cardinale is the District Director of the USCIS District Office in Philadelphia, located at 30 North 41<sup>st</sup> St., Philadelphia, PA 19104, which processed the Plaintiff's Application for Naturalization. Mr. Cardinale is generally charged with supervisory authority over all operations of the USCIS within his District with certain relevant exceptions not relevant here. 8 C.F.R. §103.1(g)(2)(ii)(B). He has an affirmative duty to administer the immigration laws in a timely manner. This action is brought against Mr. Cardinale in his official capacity.
8. Defendant the United States of America is responsible for the agencies, named and unnamed, who process the fingerprint and background checks necessary for the timely processing of the Plaintiff's Application for Naturalization and processing the Application for Naturalization.

JURISDICTION:

9. This is a civil action brought pursuant to §1447(b).
10. In the alternative, this action is brought pursuant to Mandamus Act 28 U.S.C. §1331 & §1361 to redress the deprivation of rights, privileges and immunities secured to Plaintiff, by which jurisdiction is conferred, to compel Defendants and those working under them to perform duties they owe to the Plaintiff.
11. Jurisdiction is also conferred by Administrative Procedures Act ("APA") 5 U.S.C. §551 *et seq* and §702 *et seq*. Plaintiff is aggrieved by adverse agency action in this case, as the

Administrative Procedures Act requires in order to confer jurisdiction on the District Courts. 5 U.S.C. §702 *et seq.*

12. The aid of the Court is invoked under 28 U.S.C. §2201 and §2202, authorizing a declaratory judgment.
13. Relief is requested pursuant to the above statutes.

VENUE:

14. Venue is proper in the Eastern District of Pennsylvania pursuant to 28 U.S.C. §1391(e), in that this is an action against officers and agencies of the United States in their official capacities, brought in the District where a Defendant resides and where a substantial part of the events or omissions giving rise to Plaintiffs' claim occurred. More specifically, Plaintiffs' application for naturalization is currently at the USCIS Philadelphia Office and, to Plaintiff's knowledge, remains pending with the Philadelphia USCIS District Director.

REMEDY SOUGHT:

15. Plaintiff seeks to have the Court hear and grant his N-400 Application of Naturalization.
16. In the alternative, Plaintiff seeks to compel the Defendants to take all appropriate action to execute and process Plaintiff's background checks, fingerprint checks, and Application for Naturalization. And for the District Director of the USCIS Philadelphia District



Office to immediately approve Plaintiff's Application for Naturalization and allow Mr. Rojulpote to take his oath of allegiance so as to grant him naturalization and status as a U.S. citizen.

CAUSE OF ACTION:

17. The plaintiff, Mr. Rojulpote, submitted his N-400 Application for Naturalization to the U.S. Citizenship & Immigration Service on or about May 16, 2013. Exh. 1.
18. Mr. Rojulpote's fingerprints and background check were provided to the U.S.A's Department of Homeland Security on July 26, 2013. Exh. 2.
19. On July 15, 2013, Mr. Rojulpote received a notice request to appear for an Initial Interview on August 19, 2013 at the USCIS Office at 1600 Callowhill Street Philadelphia Pa, 19130. Exh. 3.
20. On August 19, 2013 Mr. Rojulpote successfully completed all aspects of the U.S. Naturalization Test. Exh. 4 & 5.
21. USCIS Interviewing Officer Yeh expressed concerns with respect to whether the five year residency requirement and the three month state jurisdiction requirement were satisfied. Exh. 6. Mr. Rojulpote's N-400 was filed on May 16, 2013. Mr. Rojulpote became a permanent resident on August 7, 2008 and therefore satisfied the five year requirement. Furthermore, Mr. Rojulpote and his family have resided at 649 South

Henderson Road, King of Prussia PA, 19406 since October 30, 2004; which surpasses the three month state jurisdiction requirement.

22. USCIS Interviewing Officer Yeh additionally expressed concerns about Mr. Rojulpote's prior work experience. Mr. Rojulpote was happy to answer all questions and created a Record of Sworn Statement on August 19, 2013 in regards to his work experience since his arrival in July of 2000 on an H1B Visa. Exh. 8.
23. On October 9, 2014 Counsel requested that USCIS schedule Mr. Rojulpote for the oath ceremony. Counsel explained that if the checks were not completed in a timely fashion, he would be forced to file a Complaint for Writ in the Nature of Mandamus. Exh. 7.
24. At the time of this filing, Defendants have still not processed the Plaintiff's Application for Naturalization.
25. Plaintiff asserts that the Defendants have no legal basis for failing to proceed with the case. Defendants' refusal to act in this case is, as a matter of law, arbitrary and not in accordance with the law. Defendants willfully and unreasonably have delayed in, and have refused to adjudicate, Plaintiffs' applications for more than one year, thereby depriving him of the right to a decision on his status and the peace of mind to which Plaintiff is entitled.
26. Plaintiff has no administrative remedies. There are no administrative remedies provided for neglect of duty.

27. Plaintiff has been greatly damaged and will suffer irreparable harm through the Defendants' protracted and unconscionable delay in processing the Plaintiff's Application for Naturalization in accordance with their duties under law. The processing of these checks is the only obstacle to adjudicating Mr. Rojulpote's Application for Naturalization. Plaintiff has been deprived of the substantial and unique benefits of U.S. citizenship, including enhanced protection of the laws of the United States, the right to enter and remain in the United States, and freedom of movement and travel, the right to vote, and, the right to petition for his relatives as a United States citizen.
28. Mandamus is appropriate because there is no other remedy at law to compel Defendants to complete the background checks. Plaintiff seeks to compel a decision to be made in terms of both mandamus and in terms of the Administrative Procedures Act for administrative action wrongfully withheld.

PRAYER:

29. Wherefore, Plaintiff prays this Honorable Court assert jurisdiction and schedule a hearing on Mr. Rojulpote's N-400.
30. In the alternative, Plaintiff prays this Honorable Court to order the Defendants to take all appropriate action to execute and process Plaintiff's N-400 Application for Naturalization and order the District Director of the USCIS Philadelphia District Office to immediately issue all appropriate documents to administer the oath of naturalization to grant plaintiff U.S. citizenship.



31. Plaintiff also prays that this Honorable Court will grant such other relief as may be proper under the circumstances, and grant attorney's fees and costs of court.
32. Plaintiff further prays that if the USCIS' decision is adverse to him, that the decision include justification and explanation to preclude the sense of retaliation for having brought this lawsuit or for having exposed the District Director's inefficiency to the senior officers of the district, region and central offices of the USCIS and DHS.

Respectfully submitted,



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W. John Vandenberg, Esq.  
PA Bar ID 89676  
Hogan & Vandenberg, LLC  
1520 Locust Street  
Philadelphia, PA 19102  
[John@hvlawgroup.com](mailto:John@hvlawgroup.com)  
Phone: 610-664-6271

Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Venkeswar Parvinkumar ROJULPOTE  
(A088-254-214)

*Plaintiff,*  
v.

Jeh JOHNSON, *et al.*

*Defendants.*

Civil Action No.  
\_\_\_\_\_

EXHIBIT LIST

1. Mr. Rojulpote's N-400 Application for Naturalization filed on or around May 16, 2013.
2. Copy of FBI Background and Fingerprint Response dated July 26, 2013.
3. Notice of Request for Applicant to Appear for Naturalization Initial Interview for August 19, 2013 sent on July 15, 2013.
4. Copy of N-652 Naturalization Interview Result demonstrating that although Mr. Rojulpote successfully completed the U.S. Naturalization Test that a decision could not be made about his application.
5. Copy of results for U.S. Naturalization Test
6. Copy of Interviewing Officer's note demonstrating concerns with respect to Mr. Rojulpote's residency requirements.
7. Copy of Counsel's email to USCIS requesting action on Mr. Rojulpote's N-400.
8. Copy of Mr. Rojulpote's Record of Sworn Statement listing all prior work experience since 2000.

Department of Homeland Security  
U.S. Citizenship and Immigration Services

# N-400 Application for Naturalization

Print clearly or type your answers using CAPITAL letters. Failure to print clearly may delay your application. Use black ink.

## Part 1. Your Name (Person applying for naturalization)

Write your USCIS A-Number here:  
A 088-254-217

### A. Your current legal name.

Family Name (Last Name)

ROJULPOTE

Given Name (First Name)

Venkeswar

Full Middle Name (If applicable)

Parvinkumar

### B. Your name exactly as it appears on your Permanent Resident Card.

Family Name (Last Name)

ROJULPOTE

Given Name (First Name)

Venkeswar

Full Middle Name (If applicable)

Parvinkumar

### C. If you have ever used other names, provide them below.

Family Name (Last Name)

N/A

Given Name (First Name)

Middle Name

### D. Name change (optional)

Read the Instructions before you decide whether to change your name.

1. Would you like to legally change your name? ☐ Yes ☒ No

2. If "Yes," print the new name you would like to use. Do not use initials or abbreviations when writing your new name.

Family Name (Last Name)

Given Name (First Name)

Full Middle Name

## For USCIS Use Only

Bar Code

Date Stamp

Remarks

Action Block

## Part 2. Information About Your Eligibility (Check only one)

I am at least 18 years old AND

- A. ☒ I have been a lawful permanent resident of the United States for at least five years.
- B. ☐ I have been a lawful permanent resident of the United States for at least three years, and I have been married to and living with the same U.S. citizen for the last three years, and my spouse has been a U.S. citizen for the last three years.
- C. ☐ I am applying on the basis of qualifying military service.
- D. ☐ Other (Explain) \_\_\_\_\_





**Part 3. Information About You**

Write your USCIS A-Number here:

A 088-254-217

**A. U.S. Social Security Number**

228-87-1142

**B. Date of Birth (mm/dd/yyyy)**

09/12/1959

**C. Date You Became a Permanent Resident (mm/dd/yyyy)**

08/07/2008

**D. Country of Birth**

India

**E. Country of Nationality**

India

**F. Are either of your parents U.S. citizens? (If yes, see instructions)**☐ Yes☒ No**G. What is your current marital status?**☐ Single, Never Married☒ Married☐ Divorced☐ Widowed☐ Marriage Annulled or Other (Explain) \_\_\_\_\_**H. Are you requesting a waiver of the English and/or U.S. History and Government requirements based on a disability or impairment and attaching Form N-648 with your application?**☐ Yes☒ No**I. Are you requesting an accommodation to the naturalization process because of a disability or impairment? (See instructions for some examples of accommodations.)**☐ Yes☒ No

If you answered "Yes," check the box below that applies:

☐ I am deaf or hearing impaired and need a sign language interpreter who uses the following language: \_\_\_\_\_☐ I use a wheelchair.☐ I am blind or sight impaired.☐ I will need another type of accommodation. Explain: \_\_\_\_\_**Part 4. Addresses and Telephone Numbers****A. Home Address - Street Number and Name (Do not write a P.O. Box in this space.)**

649 South Henderson Rd

**Apartment Number**

B102

**City**

King of Prussia

**County**

Montgomery

**State**

PA

**ZIP Code**

19406

**Country**

USA

**B. Care of****Mailing Address - Street Number and Name (If different from home address)****Apartment Number**

Same

**City****State****ZIP Code****Country****C. Daytime Phone Number (If any)**

( 484 ) 744-6893

**Evening Phone Number (If any)**

( 484 ) 744-6893

**E-Mail Address (If any)**

madhuwani@yahoo.com

**Part 5. Information for Criminal Records Search**Write your USCIS A-Number here:  
A 088-254-217

NOTE: The categories below are those required by the FBI. See instructions for more information.

**A. Gender**☒ Male ☐ Female**B. Height**

5 Feet 8 Inches

**C. Weight**

165 Pounds

**D. Are you Hispanic or Latino?**☐ Yes ☒ No**E. Race (Select one or more)**☐ White ☒ Asian ☐ Black or African American ☐ American Indian or Alaskan Native ☐ Native Hawaiian or Other Pacific Islander**F. Hair color**☒ Black ☐ Brown ☐ Blonde ☐ Gray ☐ White ☐ Red ☐ Sandy ☐ Bald (No Hair)**G. Eye color**☐ Brown ☐ Blue ☐ Green ☐ Hazel ☐ Gray ☒ Black ☐ Pink ☐ Maroon ☐ Other**Part 6. Information About Your Residence and Employment****A. Where have you lived during the last five years? Begin with where you live now and then list every place you lived for the last five years. If you need more space, use a separate sheet of paper.**

Street Number and Name, Apartment Number, City, State, Zip Code, and Country	Dates (mm/dd/yyyy)	
	From	To
Current Home Address - Same as Part 4.A	10/30/2004	Present

**B. Where have you worked (or, if you were a student, what schools did you attend) during the last five years? Include military service. Begin with your current or latest employer and then list every place you have worked or studied for the last five years. If you need more space, use a separate sheet of paper.**

Employer or School Name	Employer or School Address (Street, City, and State)	Dates (mm/dd/yyyy)		Your Occupation
		From	To	
Automated Financial Systems	123 Summit Dr, Exton, PA	04/16/2012	Present	Software Engineer
RMS Computer Corporation	1185 6th Avenue 36th Floor, New York, NY	06/20/2011	04/13/2012	Software Engineer
TrustedQA Inc.	1800 Michael Faraday Dr Reston, VA	06/15/2010	11/18/2011	Software Engineer
LexisNexis (A Division of Reed Elsevier Inc)	121 Chanlon Road, New Providence, NJ	06/16/2008	06/30/2010	Software Engineer
Medecision Inc.	601 Lee Road, Wayne, PA	10/29/2007	06/13/2008	Software Engineer



**Part 7: Time Outside the United States***(Including Trips to Canada, Mexico and the Caribbean Islands)*

Write your USCIS A-Number here:

A 088-254-217

- A. How many total days did you spend outside of the United States during the past five years?  days
- B. How many trips of 24 hours or more have you taken outside of the United States during the past five years?  trips
- C. List below all the trips of 24 hours or more that you have taken outside of the United States since becoming a lawful permanent resident. Begin with your most recent trip. If you need more space, use a separate sheet of paper.

Date You Left the United States (mm/dd/yyyy)	Date You Returned to the United States (mm/dd/yyyy)	Did Trip Last Six Months or More?		Countries to Which You Traveled	Total Days Out of the United States
N/A	N/A	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
		<input type="checkbox"/> Yes	<input type="checkbox"/> No		
		<input type="checkbox"/> Yes	<input type="checkbox"/> No		
		<input type="checkbox"/> Yes	<input type="checkbox"/> No		
		<input type="checkbox"/> Yes	<input type="checkbox"/> No		
		<input type="checkbox"/> Yes	<input type="checkbox"/> No		
		<input type="checkbox"/> Yes	<input type="checkbox"/> No		
		<input type="checkbox"/> Yes	<input type="checkbox"/> No		
		<input type="checkbox"/> Yes	<input type="checkbox"/> No		
		<input type="checkbox"/> Yes	<input type="checkbox"/> No		

**Part 8: Information About Your Marital History**

A. How many times have you been married (including annulled marriages)?  If you have never been married, go to Part 9.

B. If you are now married, give the following information about your spouse:

1. Spouse's Family Name (Last Name)  Given Name (First Name)  Full Middle Name (If applicable)

2. Date of Birth (mm/dd/yyyy)  3. Date of Marriage (mm/dd/yyyy)  4. Spouse's U.S. Social Security #

5. Home Address - Street Number and Name  Apartment Number

City  State  Zip Code



**Part 8. Information About Your Marital History (Continued)**

Write your USCIS A-Number here:

A 088-254-217

C. Is your spouse a U.S. citizen?

☐ Yes☒ No

D. If your spouse is a U.S. citizen, give the following information:

1. When did your spouse become a U.S. citizen?

☐ At Birth☐ Other

If "Other," give the following information:

2. Date your spouse became a U.S. citizen

3. Place your spouse became a U.S. citizen (See instructions)

City and State

E. If your spouse is not a U.S. citizen, give the following information :

1. Spouse's Country of Citizenship

2. Spouse's USCIS A- Number (If applicable)

3. Spouse's Immigration Status

☒ Lawful Permanent Resident ☐ Other 

F. If you were married before, provide the following information about your prior spouse. If you have more than one previous marriage, use a separate sheet of paper to provide the information requested in Questions 1-5 below.

1. Prior Spouse's Family Name (Last Name)

Given Name (First Name)

Full Middle Name (If applicable)

2. Prior Spouse's Immigration Status

☐ U.S. Citizen  
☐ Lawful Permanent Resident  
☐ Other 

3. Date of Marriage (mm/dd/yyyy)

4. Date Marriage Ended (mm/dd/yyyy)

5. How Marriage Ended

☐ Divorce ☐ Spouse Died ☐ Other 

G. How many times has your current spouse been married (including annulled marriages)?

If your spouse has ever been married before, give the following information about your spouse's prior marriage.

If your spouse has more than one previous marriage, use a separate sheet(s) of paper to provide the information requested in Questions 1 - 5 below.

1. Prior Spouse's Family Name (Last Name)

Given Name (First Name)

Full Middle Name (If applicable)

2. Prior Spouse's Immigration Status

☐ U.S. Citizen  
☐ Lawful Permanent Resident  
☐ Other 

3. Date of Marriage (mm/dd/yyyy)

4. Date Marriage Ended (mm/dd/yyyy)

5. How Marriage Ended

☐ Divorce ☐ Spouse Died ☐ Other

**Part 9: Information About Your Children**

Write your USCIS A-Number here:

A 088-254-217

A. How many sons and daughters have you had? For more information on which sons and daughters you should include and how to complete this section, see the Instructions.

3

B. Provide the following information about all of your sons and daughters. If you need more space, use a separate sheet of paper.

Full Name of Son or Daughter	Date of Birth (mm/dd/yyyy)	USCIS A- number (if child has one)	Country of Birth	Current Address (Street, City, State and Country)
Chaitanya SugunaSai ROJULPOTE	12/18/1992	A 089-015-448	India	"With me"
Madhuwani Suguna ROJULPOTE	01/02/1996	A 089-015-449	India	"With me"
Krishna Vamsi Suguna ROJULPOTE	04/12/1997	A 089-015-736	India	"With me"
		A		
		A		
		A		
		A		
		A		

Add Children

Go to continuation page

**Part 10: Additional Questions**

Answer Questions 1 through 14. If you answer "Yes" to any of these questions, include a written explanation with this form. Your written explanation should (1) explain why your answer was "Yes" and (2) provide any additional information that helps to explain your answer.

**A. General Questions.**

- Have you ever claimed to be a U.S. citizen (in writing or any other way)? ☐ Yes ☒ No
- Have you ever registered to vote in any Federal, State, or local election in the United States? ☐ Yes ☒ No
- Have you ever voted in any Federal, State, or local election in the United States? ☐ Yes ☒ No
- Since becoming a lawful permanent resident, have you ever failed to file a required Federal, State, or local tax return? ☐ Yes ☒ No
- Do you owe any Federal, State, or local taxes that are overdue? ☐ Yes ☒ No
- Do you have any title of nobility in any foreign country? ☐ Yes ☒ No
- Have you ever been declared legally incompetent or been confined to a mental institution within the last five years? ☐ Yes ☒ No



**Part 10. Additional Questions (Continued)**

Write your USCIS A-Number here:

A 088-254-217

**B. Affiliations.**

8. a. Have you ever been a member of or associated with any organization, association, fund foundation, party, club, society, or similar group in the United States or in any other place? ☐ Yes ☒ No
- b. If you answered "Yes," list the name of each group below. If you need more space, attach the names of the other group(s) on a separate sheet of paper.

Name of Group	Name of Group
1.	6.
2.	7.
3.	8.
4.	9.
5.	10.

9. Have you ever been a member of or in any way associated (*either directly or indirectly*) with:
- a. The Communist Party? ☐ Yes ☒ No
- b. Any other totalitarian party? ☐ Yes ☒ No
- c. A terrorist organization? ☐ Yes ☒ No
10. Have you ever advocated (*either directly or indirectly*) the overthrow of any government by force or violence? ☐ Yes ☒ No
11. Have you ever persecuted (*either directly or indirectly*) any person because of race, religion, national origin, membership in a particular social group, or political opinion? ☐ Yes ☒ No
12. Between March 23, 1933, and May 8, 1945, did you work for or associate in any way (*either directly or indirectly*) with:
- a. The Nazi government of Germany? ☐ Yes ☒ No
- b. Any government in any area (1) occupied by, (2) allied with, or (3) established with the help of the Nazi government of Germany? ☐ Yes ☒ No
- c. Any German, Nazi, or S.S. military unit, paramilitary unit, self-defense unit, vigilante unit, citizen unit, police unit, government agency or office, extermination camp, concentration camp, prisoner of war camp, prison, labor camp, or transit camp? ☐ Yes ☒ No

**C. Continuous Residence.**

Since becoming a lawful permanent resident of the United States:

13. Have you ever called yourself a "nonresident" on a Federal, State, or local tax return? ☐ Yes ☒ No
14. Have you ever failed to file a Federal, State, or local tax return because you considered yourself to be a "nonresident"? ☐ Yes ☒ No



**Part 10. Additional Questions (continued)**

Write your USCIS A-Number here:

A 088-254-217

**D. Good Moral Character.**

For the purposes of this application, you must answer "Yes" to the following questions, if applicable, even if your records were sealed or otherwise cleared or if anyone, including a judge, law enforcement officer, or attorney, told you that you no longer have a record.

15. Have you ever committed a crime or offense for which you were **not** arrested? ☐ Yes ☒ No
16. Have you ever been arrested, cited, or detained by any law enforcement officer (including USCIS or former INS and military officers) for any reason? ☐ Yes ☒ No
17. Have you ever been charged with committing any crime or offense? ☐ Yes ☒ No
18. Have you ever been convicted of a crime or offense? ☐ Yes ☒ No
19. Have you ever been placed in an alternative sentencing or a rehabilitative program (for example: diversion, deferred prosecution, withheld adjudication, deferred adjudication)? ☐ Yes ☒ No
20. Have you ever received a suspended sentence, been placed on probation, or been paroled? ☐ Yes ☒ No
21. Have you ever been in jail or prison? ☐ Yes ☒ No

If you answered "Yes" to any of Questions 15 through 21, complete the following table. If you need more space, use a separate sheet of paper to give the same information.

Why were you arrested, cited, detained, or charged?	Date arrested, cited, detained, or charged? (mm/dd/yyyy)	Where were you arrested, cited, detained, or charged? (City, State, Country)	Outcome or disposition of the arrest, citation, detention, or charge (No charges filed, charges dismissed, jail, probation, etc.)

Answer Questions 22 through 33. If you answer "Yes" to any of these questions, attach (1) your written explanation why your answer was "Yes" and (2) any additional information or documentation that helps explain your answer.

22. Have you ever:
- a. Been a habitual drunkard? ☐ Yes ☒ No
  - b. Been a prostitute, or procured anyone for prostitution? ☐ Yes ☒ No
  - c. Sold or smuggled controlled substances, illegal drugs, or narcotics? ☐ Yes ☒ No
  - d. Been married to more than one person at the same time? ☐ Yes ☒ No
  - e. Helped anyone enter or try to enter the United States illegally? ☐ Yes ☒ No
  - f. Gambled illegally or received income from illegal gambling? ☐ Yes ☒ No
  - g. Failed to support your dependents or to pay alimony? ☐ Yes ☒ No
23. Have you ever given false or misleading information to any U.S. Government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal? ☐ Yes ☒ No
24. Have you ever lied to any U.S. Government official to gain entry or admission into the United States? ☐ Yes ☒ No

**Part 10. Additional Questions (Continued)**

Write your USCIS A-Number here:

A 088-254-217

**E. Removal, Exclusion, and Deportation Proceedings.**

25. Are removal, exclusion, rescission, or deportation proceedings pending against you? ☐ Yes ☒ No
26. Have you ever been removed, excluded, or deported from the United States? ☐ Yes ☒ No
27. Have you ever been ordered to be removed, excluded, or deported from the United States? ☐ Yes ☒ No
28. Have you ever applied for any kind of relief from removal, exclusion, or deportation? ☐ Yes ☒ No

**F. Military Service.**

29. Have you ever served in the U.S. Armed Forces? ☐ Yes ☒ No
30. Have you ever left the United States to avoid being drafted into the U.S. Armed Forces? ☐ Yes ☒ No
31. Have you ever applied for any kind of exemption from military service in the U.S. Armed Forces? ☐ Yes ☒ No
32. Have you ever deserted from the U.S. Armed Forces? ☐ Yes ☒ No

**G. Selective Service Registration.**

33. Are you a male who lived in the United States at any time between your 18th and 26th birthdays in any status except as a lawful nonimmigrant? ☐ Yes ☒ No

If you answered "NO," go on to question 34.

If you answered "YES," provide the information below.

If you answered "YES," but you did not register with the Selective Service System and are still under 26 years of age, you must register before you apply for naturalization, so that you can complete the information below:

Date Registered (mm/dd/yyyy)

Selective Service Number

If you answered "YES," but you did not register with the Selective Service and you are now 26 years old or older, attach a statement explaining why you did not register.

**H. Oath Requirements. (See Part 14 for the text of the oath)**

Answer Questions 34 through 39. If you answer "No" to any of these questions, attach (1) your written explanation why the answer was "No" and (2) any additional information or documentation that helps to explain your answer.

34. Do you support the Constitution and form of government of the United States? ☒ Yes ☐ No
35. Do you understand the full Oath of Allegiance to the United States? ☒ Yes ☐ No
36. Are you willing to take the full Oath of Allegiance to the United States? ☒ Yes ☐ No
37. If the law requires it, are you willing to bear arms on behalf of the United States? ☒ Yes ☐ No
38. If the law requires it, are you willing to perform noncombatant services in the U.S. Armed Forces? ☒ Yes ☐ No
39. If the law requires it, are you willing to perform work of national importance under civilian direction? ☒ Yes ☐ No



**Part 11: Your Signature**

Write your USCIS A-Number here:

A 088-254-217

I certify, under penalty of perjury under the laws of the United States of America, that this application, and the evidence submitted with it, are all true and correct. I authorize the release of any information that the USCIS needs to determine my eligibility for naturalization.

Your Signature

Date (mm/dd/yyyy)

05/12/2013

**Part 12: Signature of Person Who Prepared This Application for You (If applicable)**

I declare under penalty of perjury that I prepared this application at the request of the above person. The answers provided are based on information of which I have personal knowledge and/or were provided to me by the above named person in response to the *exact* questions contained on this form.

Preparer's Printed Name

Preparer's Signature

Date (mm/dd/yyyy)

Preparer's Firm or Organization Name (If applicable)

Preparer's Daytime Phone Number

Preparer's Address - Street Number and Name

City

State

Zip Code

**NOTE: Do not complete Parts 13 and 14 until a USCIS Officer instructs you to do so.**

**Part 13: Signature at Interview**

I swear (affirm) and certify under penalty of perjury under the laws of the United States of America that I know that the contents of this application for naturalization subscribed by me, including corrections numbered 1 through \_\_\_\_\_ and the evidence submitted by me numbered pages 1 through \_\_\_\_\_, are true and correct to the best of my knowledge and belief.

Subscribed to and sworn to (affirmed) before me

Officer's Printed Name or Stamp

Date (mm/dd/yyyy)

Complete Signature of Applicant

Officer's Signature

**Part 14: Oath of Allegiance**

If your application is approved, you will be scheduled for a public oath ceremony at which time you will be required to take the following Oath of Allegiance immediately prior to becoming a naturalized citizen. By signing, you acknowledge your willingness and ability to take this oath:

I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, of whom or which I have heretofore been a subject or citizen;

that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic;

that I will bear true faith and allegiance to the same;

that I will bear arms on behalf of the United States when required by the law;

that I will perform noncombatant service in the Armed Forces of the United States when required by the law;

that I will perform work of national importance under civilian direction when required by the law; and

that I take this obligation freely, without any mental reservation or purpose of evasion, so help me God.

Printed Name of Applicant

Complete Signature of Applicant



NBC N400 PRINTS

7/26/2013

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

10:14

## FBI FINGERPRINT RESPONSE

A-NUMBER : 088254217  
NAME : ROJULPOTE VENKESWAR PARVIN  
DATE OF BIRTH : 9/12/1959

\*\*\*\*\* FBI RESPONSE INFORMATION \*\*\*\*\*

FBI RESPONSE DESC 

DATE PROCESSED BY FBI: 6/17/2013

Control Num: RO6871N

(a)(j)(2) (b)(7)(e)

## FBI NAME CHECK RESPONSE

A-NUMBER : 088254217  
NAME : ROJULPOTE, VENKESWAR P  
DATE OF BIRTH : 9/12/1959

\*\*\*\*\* FBI RESPONSE INFORMATION \*\*\*\*\*

FBI RESPONSE DESC 

DATE PROCESSED BY FBI: 5/23/2013

FILE NUMBER: A088254217  
ANUMBER BAR CODE:

Pick Ticket: 38883

Box 274



Department of Homeland Security  
U.S. Citizenship and Immigration

I-797C, Notice of Action

**THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.**

Request for Applicant to Appear for Naturalization Initial Interview			NOTICE DATE July 15, 2013
CASE TYPE N400 Application For Naturalization			USCIS AF A 088 254 217
APPLICATION NUMBER NBC*003668857	RECEIVED DATE May 16, 2013	PRIORITY DATE May 16, 2013	PAGE 1 of 1

APPLICANT NAME AND MAILING ADDRESS  
VENKESWAR PARVINKUMAR ROJULPOTE  
# B102  
649 SOUTH HENDERSON RD  
KING OF PRUSSIA PA 19406

**Please come to:**  
USCIS  
1600 CALLOWHILL STREET  
USCIS  
2ND FLOOR  
PHILADELPHIA PA 19130  
**On (Date):** Monday, August 19, 2013  
**At (Time):** 10:30 AM

You are hereby notified to appear for an interview on your Application for Naturalization at the date, time, and place indicated above. **Waiting room capacity is limited. Please do not arrive any earlier than 30 minutes before your scheduled appointment time.** The proceeding will take about two hours. If for any reason you cannot keep this appointment, return this letter immediately to the USCIS office address listed below with your explanation and a request for a new appointment; otherwise, no further action will be taken on your application.

If you are applying for citizenship for yourself, you will be tested on your knowledge of the government and history of the United States. You will also be tested on reading, writing, and speaking English, unless on the day you filed your application, you have been living in the United States for a total of at least 20 years as a lawful permanent resident and are over 50 years old, or you have been living in the United States for a total of 15 years as a lawful permanent resident and are over 55 years old, or unless you have a medically determinable disability (you must have filed form N648 Medical Certification for Disability Exception, with your N400 Application for Naturalization).

**You MUST BRING the following with you to the interview:**

- This letter.
- Your Alien Registration Card (green card).
- Any evidence of Selective Service Registration.
- Your passport and/or any other documents you used in connection with any entries into the United States.
- Those items noted below which are applicable to you:

If applying for NATURALIZATION AS THE SPOUSE of a United States Citizen;

- Your marriage certificate.
- Proof of death or divorce for each prior marriage of yourself or spouse.
- Your spouse's birth or naturalization certificate or certificate of citizenship.

If applying for NATURALIZATION as a member of the United States Armed Forces;

- Your discharge certificate, or form DD 214.

If copies of a document were submitted as evidence with your N400 application, the originals of those documents should be brought to the interview.

**PLEASE keep this appointment, even if you do not have all the items indicated above.**


If you have any questions or comments regarding this notice or the status of your case, please contact our office at the below address or customer service number. You will be notified separately about any other cases you may have filed.

USCIS has a free booklet to help you study for the naturalization test. Ask about 'Learn About the United States: Quick Civics Lessons' when you go to have your fingerprints taken at the Application Support Center.

**USCIS Office Address:**  
U.S. CITIZENSHIP AND IMMIGRATION SERVICES  
1600 CALLOWHILL STREET  
PHILADELPHIA PA 19130-

**USCIS Customer Service Number:**  
(800) 375-5283

**APPLICANT COPY**



Please see the back of this notice for important information.

## Notice for Customers with Disabilities

USCIS is committed to providing customers with disabilities the same level of access to its programs and activities that customers without disabilities have (see the USCIS Web site for an explanation and examples of accommodations). If you need an accommodation for your appointment due to a disability that affects your access to a USCIS program or activity OR if a disability prevents you from going to the designated USCIS location for your appointment, please call the National Customer Service Center (NCSC) at 1-800-375-5283 (TDD: 1-800-767-1833) to request an accommodation.

**Call the NCSC even if you indicated on your application or petition that you require an accommodation. Also, you must contact the NCSC to request an accommodation each time you have an appointment with USCIS.** For example, you must call the NCSC to request an accommodation for your biometrics appointment and again for an accommodation for your interview appointment.

**NOTICE:** All domestic USCIS offices are accessible to individuals with physical disabilities. You do not need to request an accommodation if your **ONLY** need is an accommodation that would enable or facilitate you having physical access to a domestic USCIS office.

**Note:** Naturalization applicants should **not** call the NCSC to request an exception from the English and/or civics testing requirement. You **must** submit Form *N-648, Medical Certification for Disability Exceptions* to request an exception. See the form instructions for additional information.



Department of Homeland Security  
U.S. Citizenship and Immigration Services

# N-652, Naturalization Interview Results

A-Number: 88254217

On 08/19/2013, you were interviewed by USCIS officer Judy Yeh

- ☒ You passed the tests of English and U.S. history and government.
- ☐ You passed the tests of U.S. history and government and the English language requirement was waived.
- ☐ USCIS has accepted your request for a Disability Exception. You are exempted from the requirement to demonstrate English language ability and/or a knowledge of U.S. history and government.
- ☐ You will be given another opportunity to be tested on your ability to ☐ speak/ ☐ read/ ☐ write English.
- ☐ You will be given another opportunity to be tested on your knowledge of U.S. history and government.
- ☐ Please follow the instructions on Form N-14.
- ☒ USCIS will send you a written decision about your application.
- ☐ You did not pass the second and final test of your ☐ English ability/ ☐ knowledge of U.S. history and government. You will not be rescheduled for another interview for this Form N-400. USCIS will send you a written decision about your application.
- A) ☐ Congratulations! Your application has been recommended for approval. At this time, it appears that you have established your eligibility for naturalization. If final approval is granted, you will be notified when and where to report for the Oath Ceremony.

B) ☒ A decision cannot yet be made about your application.

It is very important that you:

- ☒ Notify USCIS if you change your address.
- ☒ Come to any scheduled interview.
- ☒ Submit all requested documents.
- ☒ Send any questions about this application in writing to the officer named above. Include your full name, Alien Registration Number (A#), and a copy of this paper.
- ☒ Go to any Oath Ceremony that you are scheduled to attend.
- ☒ Notify USCIS as soon as possible in writing if you cannot come to any scheduled interview or Oath Ceremony. Include a copy of this paper and a copy of the scheduling notice.

## PROPER ATTIRE SHOULD BE WORN:

The naturalization ceremony is a solemn and meaningful event. Please dress in proper attire to respect the dignity of this event (please no jeans, shorts, or flip flops).

**NOTE:** Please be advised that under section 336 of the Immigration and Nationality Act, you have the right to request a hearing before an immigration officer if your application is denied, or before the U.S. district court if USCIS has not made a determination on your application within 120 days of the date of your examination.

Department of Homeland Security  
U.S. Citizenship and Immigration Services

Form M-1008 USCIS Naturalization Test  
History and Government Test-9

A-Number: 88254217  
Date: 08/19/2013

**U.S. NATURALIZATION TEST**  
**U. S. History and Government (Civics)**  
**Standard Test Form 9**  
**FOR OFFICIAL USE ONLY**

The USCIS Officer will read a civics item orally to the applicant and the applicant will respond orally. The USCIS Officer will write the applicant's answer in the space provided. If an interpreter is used because the applicant qualifies for an exemption from the English requirements, the USCIS Officer will write the applicant's response as stated by the interpreter in the space provided below.

Civics Items	Correct	Incorrect
1. What group of people was taken to America and sold as slaves? Answer: <u>people from Africa</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
*2. What is the highest court in the United States? Answer: <u>Supreme Court</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
**3. How many amendments does the Constitution have? Answer: <u>27</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
**4. Who makes federal laws? Answer: <u>Congress</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
*5. What is the name of the Vice President of the United States now? Answer: <u>Joe Biden</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Why did the colonists fight the British? Answer: <u>high taxation</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. What territory did the United States buy from France in 1803? Answer: _____	<input type="checkbox"/>	<input type="checkbox"/>
8. What are <u>two</u> Cabinet-level positions? Answer: _____	<input type="checkbox"/>	<input type="checkbox"/>
9. Under our Constitution, some powers belong to the federal government. What is <u>one</u> power of the federal government? Answer: _____	<input type="checkbox"/>	<input type="checkbox"/>
**10. Name <u>one</u> right only for United States citizens. Answer: _____	<input type="checkbox"/>	<input type="checkbox"/>

Total correct answers: <u>6</u>	<input type="checkbox"/> 50/20 <input type="checkbox"/> 55/15
Result: <input checked="" type="checkbox"/> Pass <input type="checkbox"/> Fail	Interpreter <input type="checkbox"/> Yes (Language: _____) Used: <input checked="" type="checkbox"/> No

Form M-1008HG (10/11/10)

Department of Homeland Security  
U.S. Citizenship and Immigration Services

Form M-1008I

USCIS Naturalization Test  
English Reading Test-9

A-Number: 88254217

Date: 08/19/2013

**U.S. NATURALIZATION TEST**  
**English - Reading**  
**Standard Test Form 9**  
**FOR OFFICIAL USE ONLY**

*The USCIS Officer will test the applicant's ability to read by asking the applicant to read from the items listed below.*

<i>Reading Sample:</i>	<i>Correct</i>	<i>Incorrect</i>
<b>1. Who can vote?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>2. What country is north of the U.S.?</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>3. What was the first state?</b>	<input type="checkbox"/>	<input type="checkbox"/>

Result: ☒ Pass ☐ Fail

Form M-1008ER (10/11/10)



Department of Homeland Security  
U.S. Citizenship and Immigration Services

Form M-1008E

SCIS Naturalization Test  
English Writing Test-9

A-Number:

88254217

Date:

08/19/2013

**U.S. NATURALIZATION TEST****English - Writing****Standard Test Form 9****FOR OFFICIAL USE ONLY**

*The USCIS Officer will test the applicant's ability to write in English by dictating the sentences listed below to the applicant, one at a time. The applicant will write the sentence(s) on the lines and space provided on the following form.*

*Writing Sample:*

1. Citizens can vote.

2. Canada is north of the United States.

3. Delaware was the first state.

Department of Homeland Security  
U.S. Citizenship and Immigration Services

Form M-1008W

USCIS Naturalization Test  
Written Responses Test-9

A-Number: 88254217  
Date: 08/19/2013

**U.S. NATURALIZATION TEST**  
**English - Writing**  
**Standard Test Form 9**  
**FOR OFFICIAL USE ONLY**

*The applicant will write the sentence(s) dictated by the USCIS Officer in the space provided below.*

<i>Applicant's Written Response:</i>	<i>Correct</i>	<i>Incorrect</i>
1. <u>Citizens can vote</u> _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. _____ _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
3. _____ _____ _____	<input type="checkbox"/>	<input type="checkbox"/>

Result: ☒ Pass ☐ Fail

Form M-1008WR (10/11/10)

Completion of the Residence Requirement under INA Sections 316(a) or 319(a) as a Mandatory Prerequisite for  
N-400 Approval  
Page 5

## Interviewing Officer:

This N-400 has been identified as a possible N-400 that was filed early in according to 8 CFR 334.2(b).

Review to determine if the 5 and 3 year (Sections 316 and 319 of the INA) residency and the 3 month state jurisdiction requirement have been met when making a final determination on the N-400.

See Memorandum entitled "Completion of the Residence Requirement under INA Sections 316(a) or 319(a) as a Mandatory Prerequisite for N-400 Approval" dated March 22, 2010.

ATTACHMENT A

FOR OFFICIAL USE ONLY

[www.uscis.gov](http://www.uscis.gov)



Thursday, October 9, 2014

1:32:05 PM Eastern Daylight Time

**Subject:** N-400

**Date:** Thursday, October 9, 2014 at 4:30:55 PM Eastern Daylight Time

**From:** W. JOHN VANDENBERG

**To:** Phi-aila, Inquiries

Dear Madam or Sir:

I represent Mr. Rojulpote P. VENKESWAR. My G-28 is attached, along with the N-652 from his interview on August 19, 2013. Mr. Venkeswar's A# is 088-254-217. His N-400 Receipt Notice is NBC\*003668857.

I am writing to request that the Service adjudicate the N-400, grant it, and administer the Oath of Allegiance as soon as possible. His N-400 has been pending since May 16, 2013. This is well beyond normal processing times.

I understand that Officer Yeh asked quite a few questions concerning Mr. Venkeswar's previous employment, and took an affidavit regarding that matter. However, it is also my understanding that Mr. Venkeswar has freely answered the Service's questions, and provided documentary evidence. Accordingly it seems this case is ripe for adjudication.

If the Service would like to re-interview Mr. Venkeswar, please give us notice and we will appear at the Service's convenience.

Many thanks for your entering my appearance in this matter, and for adjudicating this file as quickly as possible. I look forward to your response.

Sincerely,

John Vandenberg

\*\*\*\*\*PLEASE NOTE OUR NEW ADDRESS BELOW\*\*\*\*\*

-----  
W. John Yahya Vandenberg, Esq.



*Innovative Legal Solutions for Immigrants and Global Businesses*

1520 Locust St., Ste. 804  
Philadelphia, PA 19102

P:610.664.6271

F:215.701.4558

Email: [john@hvlawgroup.com](mailto:john@hvlawgroup.com)

Website: [www.hvlawgroup.com](http://www.hvlawgroup.com)

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#### CONFIDENTIALITY

This e-mail and its attachments may contain privileged, confidential, copyrighted, or other legally protected information. If you are not the intended recipient (even if the email address above is yours), you may not use, copy, or retransmit it. If you have received this by mistake please notify us by return email, then delete it. Thank you.

Thursday, October 9, 2014

1:33:05 PM Eastern Daylight Time

**Subject:** RE: N-400

**Date:** Thursday, October 9, 2014 at 4:32:17 PM Eastern Daylight Time

**From:** Phi-aila, Inquiries

**To:** W. JOHN VANDENBERG

***THIS IS AN AUTOMATIC REPLY; PLEASE DO NOT RESPOND.***

***THANK YOU FOR CONTACTING THE U.S. CITIZENSHIP AND IMMIGRATION SERVICES PHILADELPHIA FIELD OFFICE ATTORNEY INQUIRY MAILBOX.***

**IMPORTANT NOTE: Please scan and attach a copy of your G-28 and include with any inquiry submission to this email box.**

Please accept this message as evidence that we have received your inquiry. The purpose of this mailbox is to provide an efficient way to provide service on an application pending in this office.

To further assist you, when submitting inquiries, please follow these guidelines:

- The Subject Line must contain the Application Type (e.g., N400, I-485, I-130) and if your request is for rescheduling. **Example: N400 RESCHEDULE.** You should also include any relevant information such as the date of filing or date of interview.
- PLEASE NOTE: We provide expedited processing for inquiries related to DV Lottery, "Age-out" cases and I-130 petitions awaiting adjudication with an EOIR hearing date for the beneficiary within less than 30 days of the inquiry. If you are requesting expeditious handling of an application, please type the reason for expeditious handling (e.g.: DV or AGE OUT), in the subject line of your e-mail with the corresponding Application type.
- Please include your client's name, A-Number, and any receipt number in the body of the email. Please DO NOT put any social security number or date of birth.

Our goal is to have a definitive response to your email within 30 days of receipt. Please do not attempt to follow up on this case within these 30 days.

Once again, thank you for contacting the Philadelphia Field Office.



Department of Homeland Security  
U.S. Citizenship and Immigration Services

## Record of Sworn Statement

APPLICANT NAME: Venkeswar Parvinkumar Rojulpote FILE NO A 088 254 217 DATE 8/19/2013

EXECUTED AT USCIS, Philadelphia, PA

Before the following officer of the U.S. Citizenship & Immigration Services: Judy Yeh  
(NAME AND TITLE)

in the English language. Interpreter None used.

I, Venkeswar Parvinkumar Rojulpote, acknowledge that the above named officer has identified himself/herself to administer oaths and take testimony in connection with the enforcement of the Immigration and Nationality laws of the United States. He/she has informed me that he/she desires to take my sworn statement regarding:

He/she has told me that my statement must be made freely and voluntarily. I am willing to make such a statement. I swear that I will tell the truth the whole truth, and nothing but the truth, so help me, God.

Being duly sworn, I make the following statement:

JSMN Inc, Summit st/Ave, Jersey City, NJ has sponsored my Green card. I worked in this company from March 2007 to October 2007. In 2007, the company has around 150 employees. The company's business is Software Development and software consulting services. As a Senior Software Engineer in this company, I was involved in software development for its clients. I was hired by this company on the basis of my software skills in Java, Performance Engineering, C programming, C++, web design and development. My Master's Degree in Mathematics helped in designing computer models.

I certify, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Furthermore, I authorize the release of any information from my records which the U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit that I am seeking.

Signature of Applicant [Signature]  
19th day of August, 2013. Sworn and subscribed before me:

[Signature]  
Signature USCIS Officer

[Signature]  
Signature of Witness

(Rev. 2011)

Before joining JSMN Inc, I worked in Primavera systems as a Software Engineer. Company Address: Primavera systems, Bala Cynwyd, PA  
October 2003 - Feb 2007.

I have never worked for ~~the~~ Oracle Inc.

I was never involved with any fraud in India.

Department of Homeland Security  
U.S. Citizenship and Immigration Services

Record of Sworn Statement

APPLICANT NAME: Venkeswar Parvinkumar FILE NO A 088 254 217 DATE 8/19/2013  
Rojulpote

EXECUTED AT USCIS, Philadelphia, PA

Before the following officer of the U.S. Citizenship & Immigration Services: Judy Yeh  
(NAME AND TITLE)

in the English language. Interpreter None used.

I, Venkeswar Parvinkumar Rojulpote, acknowledge that the above named officer has identified himself/herself to administer oaths and take testimony in connection with the enforcement of the Immigration and Nationality laws of the United States. He/she has informed me that he/she desires to take my sworn statement regarding:

He/she has told me that my statement must be made freely and voluntarily. I am willing to make such a statement. I swear that I will tell the truth the whole truth, and nothing but the truth, so help me, God.

Being duly sworn, I make the following statement:

Arrived in July 2000 from India on H1-B through P.S. Intl inc.  
~~Sub the company~~

July 2000 - Oct' 2000 - P.S. Intl, New York.

Nov' 2000 - July 2001 - Digital Commerce Corp, Herndon, VA

July 2001 - ~~March~~ 2003 → Starshield Technologies

April 2003 - Oct' 2003 → OMNI TEL

Oct' 2003 - Feb' 2007 → Primavera Systems

March 2007 - October 2007 → JSMN International Inc.

Oct' 2007 → June' 2008 → Medecision Inc.

I certify, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Furthermore, I authorize the release of any information from my records which the U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit that I am seeking.

Signature of Applicant [Signature]  
19th day of August, 2013. Sworn and subscribed before me:

Signature USCIS Officer

Signature of Witness

(Rev. 2011)

attach 2

## CERTIFICATE OF SERVICE

This is to certify that I have this day served:

Jeh Johnson

United States Department of Homeland  
Security, U.S.C.I.S.  
Washington, DC 20528

Joseph A. Cardinale,

U.S. Citizenship & Immigration Service,  
Philadelphia  
District Office  
30 North 41<sup>st</sup> Street  
Philadelphia, PA 19104

Eric H. Holder, Jr

Office of the Attorney General  
615 Chestnut Street  
Suite 1250  
Philadelphia, PA 19106

Leon Rodriguez

United States Department of Homeland  
Security,  
U.S. Citizenship & Immigration Service,  
Washington, D.C. 20529

In the forgoing matter with a copy of this Complaint and Petition for the Writ of Mandamus by depositing in the United States a mail copy of the same is properly addressed envelope with adequate postage thereon via certified mail/return receipt requested, in manner prescribed by Rule 5 of the Rules of Civil Procedure.

24 Dec 14

Date

W. John Vandenberg, Esq.  
PA Bar ID 89676  
Hogan & Vandenberg, LLC  
1520 Locust Street  
Philadelphia, PA 19102  
[John@hvlawgroup.com](mailto:John@hvlawgroup.com)  
Phone: 610-664-6271

Attorney for Plaintiff